

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

MIRZA HUSSAIN,

Petitioner,

v.

**Case No: 8:23-cv-1200-JDW-AAS
8:18-cr-152-JDW-AAS**

UNITED STATES OF AMERICA,

Respondent.

_____/

ORDER

Before the court is *pro se* movant Mirza Hussain's¹ Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255. (Doc. 1). The court concludes Mr. Hussain's motion warrants a response. In conformity with the

¹ Mr. Hussain is cautioned that although he is appearing *pro se*, he is required to comply with the Local Rules of the Middle District of Florida, the Federal Rules of Civil Procedure, and the Rules Governing Section 2255 Cases in the United States District Courts. Mr. Hussain is further cautioned that a failure to do so could result in sanctions, including the dismissal of his claims. *See Moon v. Newsome*, 863 F.2d 835, 837 (11th Cir.), *cert. denied*, 493 U.S. 863 (1989). Mr. Hussain is also advised that a copy of the Local Rules may be obtained at no charge by mailing a letter requesting same to the Clerk's Office and by providing a self-addressed envelope, measuring 8 ½" x 11" x ½", with sufficient postage affixed thereto. A copy of the Local Rules may additionally be found in the law library at Mr. Hussain's correctional facility.

Rules Governing Section 2255 Cases in the United States District Courts,² it is hereby **ORDERED**:

1. The government shall show cause within sixty (60) days of the date of this Order why the relief sought in Mr. Hussain's motion should not be granted;

2. As part of its response, the government shall also:

a. state whether Mr. Hussain has filed any prior post-conviction motions;

b. obtain an affidavit from Mr. Hussain's counsel in the underlying criminal matter which addresses any and all allegations of ineffective assistance of counsel; and

c. summarize the results of any direct appellate relief sought by Mr. Hussain, with cites to the record and copies of the parties' briefs from every appellate proceeding;

² These rules may be found at the following website:
https://www.uscourts.gov/sites/default/files/rules_governing_section_2254_and_2255_cases_in_the_u.s._district_courts_-_dec_1_2019.pdf

3. Mr. Hussain shall have thirty (30) days from the date the government files its response to file a reply. This reply shall not exceed fifteen (15) pages.

ENTERED in Tampa, Florida, on June 28, 2023.

A handwritten signature in black ink that reads "Amanda Arnold Sansone". The signature is fluid and cursive, with the first name "Amanda" being the most prominent.

AMANDA ARNOLD SANSONE
United States Magistrate Judge

cc:

Mirza Hussain
70313-018
Otisville
Federal Correctional Institution
Inmate Mail/Parcels
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